

# **Exhibit K**

**Joshua K. Bromberg**

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**From:** Aaron Etra <aaron@etra.com>  
**Sent:** Tuesday, November 20, 2018 1:15 AM  
**To:** Joshua K. Bromberg  
**Cc:** Steven Popofsky; michaelhess118@gmail.com  
**Subject:** RE: Answer to the Questions in the 18 CV 9401 OSC Order  
**Attachments:** INSTRUCTIONS FOR TRANSERS 4 WIRES.pdf; Transfers of Benthos escrow funds20181117\_23225094.pdf; Correspondence of Aaron Etra relevant to Benthos escrow funds20181117\_23302839.pdf

Mr. Bromberg,

Please appreciate that my intention was and is to fully comply with the Order.

It is in that spirit that I submitted the Answer and attachments yesterday morning and was very surprised with your response below. Let me try to constructively further respond to your points, as follows:

1. As you know from the agreement between Benthos and Valkyrie, the Escrow Agent was to follow the instructions of Valkyrie with respect to the application of the escrowed funds. In turn, Valkyrie needed to be guided by instructions from the owner of the Bitcoins, Dmitri Kaslov. Thus, I followed the written instructions from Dmitri Kaslov which are attached hereto for each of the three transfers;
2. The only written confirmations of the transfers was the transfer records from my bank in respect of each of the wires and are attached;
3. In searching my emails, the ones which referred to the escrowed funds, sent or received from those involved in the transaction are those items of correspondence attached; as your client should have told you, Mr. Fong was in almost daily telephone contact with Ms. Evans during the period involved and would periodically call me, in order to be up to date.

I trust that you will now recognize that my submissions were and are meant to be fully cooperative and compliant with the Order.

Best,

Aaron Etra, Esq., as Escrow Agent  
445 Park Avenue- 9<sup>th</sup> Floor  
New York, NY 10022  
Tel. +1-917-856-3500  
Skype: indeva

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**From:** Joshua K. Bromberg [<mailto:JBromberg@kkwc.com>]  
**Sent:** Monday, November 19, 2018 9:52 AM  
**To:** Aaron Etra  
**Cc:** Steven Popofsky  
**Subject:** RE: Answer to the Questions in the 18 CV 9401 OSC Order

Mr. Etra,

The documents and information you have provided are deficient.

We will give you until no later than 5 p.m. EST tonight to produce, as ordered by Judge Batts:

- “the written instructions upon which each transfer was made,” (Order Show Cause, Dkt. 4 at ¶ 2(c))
- “any written confirmation received of each transfer;” (Order to Show Cause, Dkt. 4 at ¶ 2(d))
- “copies of all communications between and among any of [yourself], Valkyrie Group LLC, Valhalla Venture Group LLC, Brandon Austin, Hugh Austin, Tracy Evans, ‘Dmitri,’ and Ming Hoang Le, or any of their affiliates, representatives and/or agents, concerning the Bitcoin Agreement, the Escrow Agreement, and/or the funds deposited by Benthos into [your] IOLA account[.]” (Order to Show Cause, Dkt. 4 at ¶ 4(a))

Benthos reserves all rights.

**KLEINBERG  
KAPLAN**

**JOSHUA K. BROMBERG**

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**From:** Aaron Etra [<mailto:aaron@etra.com>]  
**Sent:** Monday, November 19, 2018 8:44 AM  
**To:** Steven Popofsky  
**Cc:** Joshua K. Bromberg; [michaelhess118@gmail.com](mailto:michaelhess118@gmail.com); Tracy Evans  
**Subject:** FW: Answer to the Questions in the 18 CV 9401 OSC Order

Mr. Popofsky,

I am attaching [my](#) answer to all the questions Judge Batts has [ordered](#) to be provided (with supporting material) and I am doing so before 10.00am on November 20, 2018.

I am reserving all rights and remedies afforded in the agreements entered into by Benthos Master Funds, Ltd. on August 1 and August 2, 2018 with Valkyrie Group LLC and myself, as Escrow Agent [and applicable law](#).

Best,

Aaron Etra, Esq., as Escrow Agent  
445 Park Avenue- 9<sup>th</sup> Floor  
New York, NY 10022  
Tel. +1-917-856-3500  
[Skype: indeva](#)

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